

REMARKS/ARGUMENTS

This is a Supplemental Preliminary Amendment filed subsequent to a telephone conference between Examiner Hagemand, Examiner Mackey, Attorney Cohn and the Applicant S. Viny.

During the telephone conference, the Roman, Flottmann and Wilbur prior art references were discussed.

The Examiners stated that in their opinion, the Roman reference meets a claimed feature in that the movement of the material after falling off the end of the conveyor belt and down the chute after which a stream of air from below the chute encounters the material. Applicant and his Attorney respectfully disagree because the material is not blown as it falls off the end of the conveyor, as with the present invention as claimed.

The Examiners further stated that in their opinion, that the Roman reference meets the claimed feature of the rotatable cylinder of splitter plate system by the connector 166 of deflector 164. Applicant and his Attorney respectfully disagree because the connector is not a rotatable cylinder but rather a connector to the deflector and the arm for moving the deflector.

As to the Flottmann reference, there is a teaching of blowing the product and then separating the product, However, Applicant and his Attorney don't consider Flottman to teach anything beyond the Roman reference.

As to the Wilbur reference, there was a discussion of the roller that can be rotated in either direction. Hereto, the Applicant and his Attorney pointed out that it would not be obvious to modify the Roman reference with the teachings of Wilbur.

At the end of the telephone conference, the Examiners agreed that the combination of a rotatable cylinder and the means for adjusting the speed and direction of rotation of the rotatable cylinder in combination with the other elements of the claimed invention appeared to overcome the prior

art.

Independent Claim 1 has been amended to include “means for adjusting the speed and direction of rotation of the rotatable cylinder.” This limitation was found in claim 7 and further stated in the application on page 10 paragraph 33. As discussed before this limitation is not shown in Roman taken alone or in combination with the other references and therefore claim 1 should be allowable.

Claims 3 - 6 depend upon claim 1 and should also be deemed allowable.

Independent Claim 7 has been amended to further define the conveyor system, adding the air manifold positioned at the end of the conveyor system and the location of the structural frame having the rotatable cylinder. The rotatable cylinder includes means for adjusting the speed and direction of rotation of the rotatable cylinder. As discussed before, this limitation is not shown in Roman taken alone or in combination with the other references and therefore claim 7 should be allowable.

Claims 9 and 11 depend upon claim 7 and should also be deemed allowable.

Independent method Claim 12 has been amended to further define the steps of adjusting the speed and direction of rotation of the rotatable cylinder and rotating the rotatable cylinder. As discussed before, this limitation is not shown in Roman taken alone or in combination with the other references and therefore claim 12 should be allowable.

Claim 14 depends upon claim 12 and should also be deemed allowable.

Status of Claims

Claims 1, 3-7, 9 and 11, 12 and 14 are pending

Claims 2, 8 and 13 are cancelled

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Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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